

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 75 is rejected under 35 U.S.C. 102(e) as being anticipated by Kong et al.  
[US 6,218,911].

Claim 75, Kong et al. discloses a miniaturized relay [70] comprising: a first condenser plate [74] in a first zone; a second condenser plate [80] and a third condenser plate [82] in a second zone; and a conductive element [the condenser plate 74] that is not in electrical contact with walls that define a space when moving, wherein at least one of said first, second and third condenser plates induces a charge distribution in the conductive element that forces said conductive element to move between a one end of a space and defining the first zone, and an other end of the space defining the second zone [figures 5a-5c].

Claim 75 is rejected under 35 U.S.C. 102(b) as being anticipated by Strumpler [US 6,613,993].

Claim 75, Strumpler discloses a miniaturized relay [figures 3 and 4] comprising: a first condenser plate [any one of the fingers of drive 7 on the moveable member 1] in a first zone; a second condenser plate and a third condenser plate [any two finger of the drive 7 attached to 6] in a second zone; and a conductive element [8] that is not in electrical contact with walls that define a space when moving, wherein at least one of said first, second and third condenser plates induces a charge distribution in the conductive element that forces said conductive element to move between a one end of a space and defining the first zone [figure 3], and an other end of the space defining the second zone [figure 4].

### **Allowance**

The indicated allowability of claim 75 is withdrawn in view of the newly discovered reference(s) to Kong et al. [US 6,218,911] and Strumpler [US 6,613,993].. Rejections based on the newly cited reference(s) above.

Claims 38-40, 46-48 and 71-73 are allowed.

The following is an examiner's statement of reasons for allowance:

Claim 38, the Prior Art of Record does not teach nor suggest in the claimed combination a miniature relay comprising a conductive element arranged in said intermediate space, said conductive element being a detached part of movement freely along the intermediate space... wherein at least one of first second and third condenser

plates induces a charge distribution in said conduction element that forces said conduction element to move along the intermediate space... wherein a closing of the electric circuit is not affected by a voltage of the conductive element.

Claim 46, the Prior Art of Record does not teach nor suggest in the claimed combination a miniature relay wherein said conductive element comprises a conductive element part which defines an axis, in the interior of which is housed said second contact point, and a flat part which protrudes from one side of said conductive element part and which extends in the direction of said axis, in which said flat part has a height, measured in the direction of said axis, which is less than a height of said cylindrical part measured in the direction of said axis.

### ***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BERNARD ROJAS whose telephone number is (571) 272-1998. The examiner can normally be reached on M and W-TH 10:00 am - 7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin G. Enad can be reached on (571) 272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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